

Message Text

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PAGE 01 RANGOO 03129 101117Z

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ACTION EA-09

INFO OCT-01 ISO-00 SS-15 L-03 NSC-05 NSCE-00 INR-07 CIAE-00

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FM AMEMBASSY RANGOON

TO SECSTATE WASHDC 2281

C O N F I D E N T I A L RANGOON 3129

E.O. 11652: GDS

TAGS: PINT, BM

SUBJ: GUB MAKES FORMAL REQUEST FOR EMBASSY TESTIMONY AT COUP TRIAL

REF: RANGOON 3087, STATE 223393

1. VICE MINISTER OF FOREIGN AFFAIRS U WIN CALLED ME TO THE MINISTRY AT 2:00 P.M TODAY TO MAKE A FORMAL REQUEST THAT WE EITHER ALLOW THE DUTY OFFICER (MR. MURPHY) WHO WAS CONTACTED BY COUP PLOTTER CAPTAIN OHN KYAW MYINT ON JULY 2 TO APPEAR IN COURT TO TESTIFY IN THE COUP TRIAL, OR, ALTERNATIVELY, THAT MR. MURPHY SUBMIT A DEPOSITION.
 2. I TOLD U WIN THAT I HAD ANTICIPATED THIS REQUEST, HAD GIVEN THE MATTER VERY CAREFUL THOUGHT, AND HAD CONCLUDED IT WOULD NOT BE APPROPRIATE TO COMPLY. AT THE TIME OF THE INITIAL APPROACH BY THE ALLEGED COUP PLOTTER, I HAD FELT A RESPONSIBILITY TO PASS THE INFORMATION TO THE BURMESE GOVERNMENT, PARTLY OUT OF CONCERN FOR THE SAFETY OF THE MEMBERS OF THE GOVERNMENT. I BELIEVED THAT THE EMBASSY HAD PROVIDED ALL THE PERTINENT AND NECESSARY INFORMATION AT THAT TIME. NOW, AS I UNDERSTOOD IT, THE MINISTER WAS ASKING, NOT FOR MORE INFORMATION, BUT THAT THE EMBASSY INVOLVE ITSELF IN COURT PROCEEDINGS OF A HIGHLY POLITICAL CHARACTER. I SAID I ACCORDINGLY DID NOT FEEL JUSTIFIED IN REQUESTING A WAIVER OF IMMUNITY TO PERMIT MR. MURPHY TO TESTIFY, NOR DID I FEEL IT APPROPRIATE TO SUBMIT A DEPOSITION. FYI: AT THE TIME OF MY CALL AT THE MINISTRY, I HAD NOT SEEN DEPARTMENT'S REFTEL, BUT FORTUNATELY I
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TOOK A POSITION IN COMPLETE AGREEMENT WITH IT.

3. VICE MINISTER U WIN SEEMED RELUCTANT TO LET THE
MATTER DROP, AND I WAS FORCED TO REITERATE OUR POSITION
SEVERAL TIMES. U WIN PRODUCED A COPY OF THE "NEW YORK
TIMES" STORY ON THE ASYLUM REQUEST, AND I POINTED OUT
THAT SOME PORTIONS OF THE STORY WERE CLEARLY THE
REPORTER'S OWN INFERENCES. U WIN DID NOT APPEAR TO BE
UNDULY EXERCISED, HOWEVER, AND THE MEETING EVENTUALLY
ENDED AMICABLY.
OSBORN

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Margaret P. Grafeld
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